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2 *E-FILED: February 27, 2013*
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NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

MARTIN REYES, an individual; and DOREEN REYES, an individual, No. C13-00854 HRL

Plaintiffs,

**ORDER REFERRING CASE TO ADR
UNIT FOR ASSESSMENT TELEPHONE
CONFERENCE**

v.

NATIONSTAR MORTGAGE HOLDINGS,
INC., a Delaware Corporation, et al.,

Defendants.

Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone conference to assess this case's suitability for mediation or a settlement conference. Plaintiffs' and defendants' counsel shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible, but no later than March 29, 2013.

Plaintiffs' and defendants' counsel shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents;
- (2) Prospects for loan modification;
- (3) Prospects for settlement.

The parties need not submit written materials to the ADR Unit for the telephone conference.

In preparation for the conference, plaintiffs shall do the following:

1 (1) Review relevant loan documents and investigate the claims to determine whether
2 they have merit.

3 (2) If plaintiffs are seeking a loan modification to resolve all or some of the claims,
4 they shall prepare a current, accurate financial statement and gather all of the
5 information and documents customarily needed to support a loan modification
6 request. Further, plaintiffs shall immediately notify defendants' counsel of the
7 request for a loan modification.

8 (3) Provide counsel for defendants with information necessary to evaluate the
9 prospects for loan modification, in the form of a financial statement, worksheet
10 or application customarily used by financial institutions.

In preparation for the telephone conference, counsel for defendants shall do the following:

13 (1) If defendants are unable or unwilling to do a loan modification after receiving
14 notice of plaintiffs' request, counsel for defendants shall promptly notify
15 plaintiffs to that effect.

16 (2) Arrange for a representative of each defendant with full settlement authority to
17 participate in the telephone conference.

18 The ADR Unit will notify the parties of the date and time the telephone conference will
19 be held. After the telephone conference, the ADR Unit will advise the court of its
20 recommendation for further ADR proceedings.

21 || SO ORDERED.

22 | Dated: February 27, 2013

HOWARD RALLOYD
UNITED STATES MAGISTRATE JUDGE

1 5:13-cv-00854-HRL Notice has been electronically mailed to:
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